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SUMMARY RECORD OF THE 29th MEETING

Chairman: Mr. SOMAVIA (Chile)

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 108: INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING
(continued) (A/45/3, chap. V, sect. D; A/45/495, 535, 536, 542, 562 and Add.1,
A/45/301, 303, 329; A/C.3/45/4 and E/1990/39/Add.1)

1. Mr. THORNBURGH (United States of America), speaking as his country's Attorney General, emphasized the threat and the cost of the drug scourge everywhere in the world, not only in economic terms but in the incalculable harm it did humankind. The nature and complexity of the drug war required that all nations face the crisis together to fight it with a co-operative strategy and concrete action. President Bush, on taking office, had enunciated a comprehensive strategy to deal with the enormous drug problem in his country, a global strategy comprising not only law enforcement but prevention, education, rehabilitation and treatment, all of which was intended above all to re-establish society's traditional value structure. At the same time, the United States recognized the importance of bilateral and multilateral actions and was convinced that only a truly international network, created through the United Nations and other multinational organizations, could put an end to world-wide drug trafficking and abuse. He had come to New York in order to participate in a United Nations press conference celebrating the coming into force of the world's most significant drug law enforcement treaty, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. He commended the United Nations for having convened a plenipotentiary conference of more than 100 nations which had led to the adoption by consensus of the treaty. Although the international community was scoring successes in the war on drugs, its efforts had not kept pace with the international drug cartels. That was why, as his nation's chief law enforcement officer, he was gratified that the Convention established a modern legal framework for international co-operation in the fight against drug trafficking. The treaty was important because it was a law enforcement treaty. Signatory nations were obligated to criminalize each link in the chain of illicit drug-related activities from the initial production of drugs to the final laundering of profits. The Convention called on its parties to pierce the veil of bank secrecy, to seize and confiscate drug proceeds and to place controls on the flow of essential chemicals, and mandated unprecedented co-operation in the conduct of investigations, prosecutions and, where appropriate, extraditions. Yet the Convention did not alter the laws of any countries; their sovereignty was respected absolutely. It was incumbent on signatories to bring their own legislation into conformity with treaty requirements. As the ultimate test of the Convention's success would be the political will to implement it, he called on each nation to demonstrate its own will, particularly with regard to money laundering, the diversion of chemicals and asset seizure and forfeiture.

2. The 27 nations that had acceded to the Convention already constituted a powerful alliance, but their number must increase greatly in order to send a clear message to drug traffickers that a collective global commitment had been made to ending their illegal activities. Significant as the entry into force of the Convention would be on 11 November, it would mark only the beginning of a large-scale effort. Many nations had already begun to take significant strides

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(Mr. Thornburgh, United States)

forward in a variety of international fora, for example, the Chemical Action Task Force established on the recommendation of the Group of 7 Economic Summit meeting in Houston, which had convened its first meeting in Washington a few days earlier. He had participated in that session, together with the representatives of a number of international organizations, including the United Nations. The United States would continue to rely on the United Nations to focus world-wide attention on the international narcotics problem. The United Nations General Assembly's special session on narcotics in February 1990 had provided an opportunity to make a variety of recommendations for the United Nations and Member States to combat drug abuse and its ill effects. The United States had been very pleased with its results: the Global Programme of Action and the Political Declaration contained important international drug control principles reflecting a true spirit of multilateral co-operation.

3. Turning to future activities, he drew attention to important items the General Assembly would have to consider. As requested in General Assembly resolution 44/141, the Secretary-General had appointed a group of experts to look at ways to strengthen United Nations drug control activities. In their report (A/45/652/Add.1), which his delegation supported, the experts had proposed a unified, strengthened and more effective structure. The United States believed that it was essential to rationalize and integrate the functions of the three existing drug agencies. The new structure should moreover be headed by a high-ranking official, possibly an Under-Secretary-General redeployed to that important function. His delegation hoped that the recommendations of the experts would be faithfully implemented and was prepared to work to ensure adoption of a resolution implementing the new structure.

4. It was also pleased that the System-Wide Plan of Action put forward by the Administrative Committee on Co-ordination had been submitted for consideration; that important document should be continually improved in order to avoid duplication and achieve maximum results. His delegation urged that the Plan now be adopted within existing resources.

5. In addition, the United Nations was working closely with other agencies within the United Nations system with responsibilities embracing drug control: the International Labour Organisation, in order to combat drugs in the workplace, and the World Health Organization, whose new Programme on Substance Abuse it supported.

6. He emphasized the importance of the United Nations Fund for Drug Abuse Control, recalling its judicial assistance project in the Andean region, and expressed the wish for a mechanism that would protect judicial officials whose lives were endangered because of the simple exercise of their functions. For 1990, the United Nations had pledged \$3 million to the Fund for use in developing a number of important projects such as judicial enhancement in the Caribbean, law enforcement assistance in South-East Asia, facilitating the exchange of information among drug law enforcement agencies in Europe and the Middle East and assistance programmes to developing countries to inhibit the illicit trade in essential chemicals. The United States would continue to assist the United Nations Division

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(Mr. Thornburgh, United States)

of Narcotic Drugs in developing and implementing a computerized data base that would permit the analysis of drug abuse and trafficking at regional, national and international levels. It also strongly supported the important work of the International Narcotics Control Board, which had the responsibility for overseeing treaty compliance. It was pleased that with the coming into force of the new drug enforcement convention, the scope of the Board's responsibilities and opportunities for effective action would continue to increase.

7. In conclusion, he said that the United States would continue to work with other Member nations to fight and conquer the drug scourge within the unique framework of the United Nations system, and paid a tribute to the valiant men and women, particularly in South America, who had given so selflessly of their lives so that others might live in a drug-free world.

8. Mr. MGBOKWERE (Nigeria) said that his delegation noted with interest the reports of the Secretary-General on the enhancement of the efficiency of the United Nations structure for drug abuse control (A/45/652 and Add.1) and on international co-operation in drug abuse control (A/45/542), and commended the submission of the latter report in a format reflecting the mandates determined at the International Conference on Drug Abuse and Illicit Trafficking and at the seventeenth special session of the United Nations General Assembly. He expressed his appreciation to the Director-General of the United Nations Office at Vienna for her invaluable contribution in launching the United Nations System-wide Action Plan on Drug Abuse Control. The determination of the international community to combat the growing threat of drug abuse could no longer be in doubt, as indicated by the various measures taken to strengthen international co-operation in that domain: the substantial number of accessions to the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; the seventeenth special session of the General Assembly on the problem of drugs; the Declaration adopted at the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat; the Declaration and agreements signed at Cartagena by Bolivia, Colombia, Peru and the United States of America; and the Ixtapa Declaration and Programme of Action of the Organization of American States, of April 1990.

9. Moreover, activities to combat drug abuse and illicit trafficking had featured prominently at the eighty-third Conference of the Inter-Parliamentary Union (Nicosia, April 1990), the first meeting of the Summit-Level Group for South-South Consultations with the Group of 15 (Kuala Lumpur, June 1990), the sixteenth meeting of the Standing Committee of Ministers of Foreign Affairs of the Caribbean Community (May 1990), and the Joint Declaration of the eighth meeting of the Foreign Ministers of the Association of South-East Asian Nations and the European Community (February 1990). To that list could be added the first European meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), to take place at Moscow in November 1990. All those activities indicated the awareness of the international community that it could protect mankind from the scourge of drug abuse only through intensified co-operative efforts. The international community must thus commit itself to the full and speedy implementation of the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and the Global

(Mr. Mgbokwere, Nigeria)

Programme of Action, adopted by the United Nations General Assembly at its seventeenth special session. Under the Programme consideration should be given as soon as possible to the convening of an international conference on the production and distribution of precursors and chemical substances used in illicit drug production. Meanwhile, his delegation welcomed the steps taken by the International Narcotics Control Board to establish a new unit to monitor national implementation of the provisions of article 12 of the 1988 Convention concerning the control of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances.

10. His delegation was encouraged by the initiative taken by the Inter-American Drug Abuse Control Commission recommending that its member States adopt model regulations, prepared by a group of experts, to control chemical precursors and chemical substances, machines and materials. He welcomed the preparation of the United Nations System-wide Action Plan on Drug Abuse Control (A/45/542) further to General Assembly resolution 44/141. The Plan, which indicated the contribution made by 20 relevant bodies in the United Nations system, was a useful instrument for strengthening co-ordination of the combined efforts of the system, as well as for promoting complementarity and reducing the risk of overlapping. It also facilitated evaluation by Member States of progress.

11. With regard to operational activities, his delegation noted that the activities of the United Nations Fund for Drug Abuse Control had expanded and intensified in recent years, up to and including 1990, and that its resources had been allocated in various regions of the world in response to specific national or regional needs. Several African countries, including Nigeria, had benefited from the Fund's activities. Noting the success of the communications network set up in the Caribbean with UNFDAC funding, he urged the Fund to explore the possibility of setting up a similar system in Africa. Several African countries still needed assistance to detect and intercept illicit drugs. The region had requested at least five training centres in place of the three originally proposed, a request which should be given favourable consideration. His delegation paid tribute to the efficiency and competence of Mr. Di Gennaro, Executive Director of the Fund.

12. His delegation was concerned that the total annual expenditure of the United Nations on drug abuse control averaged \$37 million during the biennium 1988-1989, a figure representing 0.0007 per cent of the estimated level of the world's illicit drug trade in 1989 (\$500 billion). It was regrettable that the regular budget of the Division of Narcotic Drugs and of the secretariat of the International Narcotics Control Board was currently only a little over \$4 million a year. Given the increasing role of the Organization in combating drug abuse, United Nations drug units must not be hamstrung in carrying out their rapidly expanding activities for lack of resources. His delegation therefore called for a substantial increase in both the regular budget and extrabudgetary resources allocated to such activities, while thanking those Governments which had been generous in providing contributions.

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(Mr. Mgbokwere, Nigeria)

13. His delegation had taken note with interest of the report of the Group of 15 experts selected by the Director-General to assist her in enhancing the efficiency of the United Nations structure for drug abuse control (A/45/652/Add.1) and particularly the Secretary-General's conclusions based thereon. He paid tribute to the work of the Group, which provided a basis for the expansion of United Nations drug control programmes.

14. However, for his delegation, the key question was the fashioning of a structure that would meet the three basic objectives outlined in paragraph 6 of the Secretary-General's report, especially the need to facilitate implementation of the measures contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control. His delegation endorsed the Secretary-General's proposal for a unified secretariat unit at Vienna with responsibilities for: (a) treaty implementation; (b) policy implementation and research; and (c) operational activities. Such a structure would provide a realistic basis for expansion in response to future demands on the United Nations system in the drug control field. There was no merit in maintaining two secretariats for treaty implementation: one for the International Narcotics Control Board and another for the Commission on Narcotic Drugs. The two secretariats should be integrated to facilitate co-ordination of the Programme.

15. For its part, Nigeria had enacted laws imposing stiff penalties for drug offences (life imprisonment and forfeiture of all the drug trafficker's assets). In addition, national legislation enacted in December 1989 contained, *inter alia*, measures for identifying, tracing, freezing and confiscating the proceeds of drug trafficking. The establishment in 1990 of the National Drug Law Enforcement Agency was a significant step in line with the Programme of Action adopted by the General Assembly at its seventeenth special session.

16. Nigeria strongly believed that efforts must continue at bilateral and regional levels to put in place a more effective mechanism for co-operation and mutual assistance in the suppression of drug trafficking. It had entered into agreements of that kind with some countries and was currently negotiating similar bilateral arrangements with a number of others. Overall, it had put in place the necessary legal infrastructure to facilitate the application of the three United Nations drug conventions, which it had ratified.

17. In conclusion, he emphasized that a unique consensus had emerged regarding the need for concerted action, illustrated by the fact that both producers and consumers now unequivocally accepted joint responsibility in the effort to achieve an international society free from drugs. The 1988 Convention, which would enter into force on 11 November 1990, would keep the pressure on the drug barons and their nefarious agents. The elimination of drug abuse and drug trafficking was an ambitious but achievable goal. The United Nations Decade against Drug Abuse (1991-2000) must be geared towards intensifying international, regional and national efforts in that fight.

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18. Mr. ROLLE (Bahamas) said that, as Minister of National Security of the Bahamas, he welcomed the steps taken by the international community which proved the importance it attached to the fight against drug abuse, including the enhancement of the United Nations structure for drug control, the analysis of key aspects of the drug problem, and the achievement of the 20 ratifications needed for the entry into force on 11 November 1990 of the 1988 Convention.

19. At the current juncture, the ultimate results of the community's efforts would depend on its commitment to taking the necessary decisions.

20. His delegation commended the report of the group of experts mandated by General Assembly resolution 44/141 (A/45/652/Add.1) and the report of the Secretary-General aimed at putting into effect the group's recommendations (A/45/652). The group had adopted a pragmatic attitude and focused on the heart of the matter, seeking to determine what could be done to enhance the efficiency of the structure and articulate its goals better, given the existing mandates and the new decisions of the General Assembly.

21. The Bahamas endorsed the group's major recommendations, including the proposal that the three existing units should be amalgamated into a single executive structure under the leadership of a chief executive. While, in principle, the Bahamas had no difficulty with that general restructuring it was unsure what the status of the United Nations Fund for Drug Control would be under the new system, as it was not clearly explained in either the report of the group of experts or that of the Secretary-General. Given the importance of the Fund to the developing countries, including the Bahamas, they would wish to be assured that the new arrangements would not negatively affect the Fund's ability to attract maximum voluntary contributions, as it had done so proficiently for the past several years.

22. The Bahamas also considered that the executive head of the new structure should be at a sufficiently high level and should have extensive experience and expertise in the drug area, and that chains of command and lines of communication within the structure should be clearly defined. It also hoped that the divergence between the advice given by the group of experts and the conclusions of the report of the Secretary-General would be easily resolved.

23. It was the use to which the structure would be put and the commitment of Member States and the Secretariat to that structure that would ultimately make it work. It would therefore be incumbent on Governments to give it the necessary support and direction, including the necessary resources, both financial and human. Expectations must be matched by budget allocations.

24. He endorsed the recommendation of the group of experts regarding the need to improve the work of the Commission on Narcotic Drugs in the course of the restructuring. Specifically, the Commission should address itself to problems relating to the duration of its sessions and its policy-making functions. At the seventeenth special session of the General Assembly on the question of drugs, the Commission had been unable to provide expert input for the preparatory documents. In that connection, it needed to take a decision on the resolution on enlarging the Commission, which had been deferred for two sessions.

(Mr. Rolle, Bahamas)

25. In his delegation's view, the impact of drug-related money transfers and conversion on national economic and financial systems was one of the most complex aspects of the drug traffic. It therefore commended the second expert group mandated by resolution 44/142 on the work it had done. It was pleased to have provided one of those experts. The group, however, had considered its task too onerous to be carried out in the time allotted, and the lack of data had prevented it from reaching any valid conclusions. Nevertheless, its analysis had led to some interesting views on organized crime, the value-added phenomenon in the illicit drug industry, the abuse of psychotropic substances - particularly designer drugs - arms smuggling and drug-related crime. The group had emphasized the preliminary nature of its report and the Bahamas agreed that those issues should be submitted for further analysis. They could be studied by a third expert group as part of the Global Programme of Action, and funded from extrabudgetary resources, or by any other competent group. It believed that innovations such as the International Drug Abuse Assessment System currently being developed by the Division of Narcotic Drugs would help to address some of the obstacles identified by the expert group.

26. With regard to money laundering, the Bahamas would wish to see the discussions on control mechanisms focus on other entities and individuals as well, including real-estate agencies and attorneys. Bankers and others directly concerned should also be consulted in order to determine the efficacy of those mechanisms.

27. The Bahamas believed that the system-wide action plan was vital to the full implementation of all the existing drug-control mandates and subsequent decisions of intergovernmental bodies throughout the United Nations system, and therefore endorsed the relevant conclusions and recommendations of the Committee for Programme and Co-ordination and of the Economic and Social Council. The Commission on Narcotic Drugs must also give priority at its next session to establishing practical modalities for monitoring the Global Programme of Action. His delegation hoped that that essential programme would not be impeded by the restructuring.

28. To illustrate what could be done by determined efforts for drug control, he cited the Bahamas' experience. For more than a decade, the Bahamas had been forced to grapple with an illicit transit traffic and to divert vital resources from development to law enforcement.

29. The Bahamian Government had countered by launching a comprehensive and consistent national drug strategy which included expanding and intensifying its own drug-interdiction capability, designating special courts to hear drug cases exclusively, remanding foreign offenders pending trial and amending the drug laws to ensure a high rate of arrests and seizures. Bahamian transit-traffic facilitators had also been prosecuted. The Bahamas had increased joint operations, particularly with the United States, and had concluded mutual legal assistance treaties with the United States and Canada and an agreement with the United Kingdom regarding the investigation and confiscation of the proceeds of drug trafficking.

(Mr. Rolle, Bahamas)

30. The results of the strategy had been spectacular, as was illustrated by the fact that nearly three tons of cocaine had been seized in 1988 and 1989 as against only about 60 kilograms in 1990. Not only had international traffic in cocaine into and through the Bahamas been brought under control, but the traffic in marijuana continued to be close to the irreducible minimum. His Government's objective was also to bring the cocaine traffic through the Bahamas to the irreducible minimum in 1990. The most satisfactory result of the strategy was that the reduced availability of cocaine and marijuana had lessened experimentation in and abuse of those substances.

31. The Bahamas was no longer a major smuggling route for cocaine and marijuana. The Government remained on its guard, however, because of the geographical location of the country between the world's largest source and supply and demand centres. Since traffickers had probably found other routes and transit centres in other countries and territories in the region, it was necessary to establish a foolproof regional and international control system to ensure that the decrease in production, trafficking and demand in one country did not lead to an increase in others. It was for that reason that the Bahamas had ratified the 1988 Convention, which, it believed, afforded enormous potential for strengthening the legal basis and intensifying international co-operation in drug control. His delegation attached particular importance to article 10 of the Convention, which formed the basis for co-operation between transit countries and those in which illicit cultivation and demand constituted major problems. The Bahamas urged all States to accede to the Convention without delay. It would continue to play its part in the fight against drugs and in supporting the central role of the United Nations in that endeavour.

32. Mr. LUNA (Peru) said that the time had come to relaunch global and multidisciplinary co-operation in drug matters. The prestige of the United Nations would to a great extent depend on that process. The current world situation no doubt afforded the most appropriate opportunity for the Organization to emerge as the real architect of preventive diplomacy of global scope.

33. His Government saw such diplomacy as comprising three interdependent components: (a) the Political Declaration and the Global Programme of Action adopted by the General Assembly at its seventeenth special session (in resolution S-17/2); (b) international co-operation, which remained unfortunately far less well co-ordinated and efficient than the traffic itself, and shared responsibility; and (c) the participation of all States in decisions taken to resolve global problems.

34. That was the spirit behind the strategy outlined only recently by the President of Peru, Alberto Fujimori. The Government had observed that the uncontrolled repression of illicit coca cultivation, on which over a million people subsisted and which accounted for over 60 per cent of world production, had proved ineffective because of its intrinsic limitations and, above all, of the social and economic situation of the country; that was not to speak of the risk of irreversible damage to the environment of the Andes and the Amazon. In the areas

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(Mr. Luna, Peru)

of cultivation, there was no legal economic activity controlled by the State, nor any democratic mechanism in which citizens had a say. Moreover, the huge demand of the consumer countries rendered coca leaf cultivation highly profitable.

35. It was for those reasons that, anxious as it was to work towards the establishment of a social market economy and for the development of Peru, the Government had decided to launch a crop-substitution programme based on the following measures: (a) enabling coca producers to acquire property; (b) supporting the establishment of enterprises; and (c) strengthening of peasant participation in political institutions.

36. It should be noted that such a strategy would not succeed without the co-operation of the international community and that it was consistent with President Bush's recent initiative for the Americas and the Brady Plan, because both recognized implicitly that poverty and debt were partially endogenous to the developing countries. Finally, it responded to Peru's needs, while being absolutely in conformity with paragraphs 38 and 39 of the Global Programme of Action concerning the control of supply of narcotic drugs and psychotropic substances.

37. The General Assembly must adopt a decision on the structure which the United Nations must set up to achieve the goals set forth in the various multilateral instruments on drugs. The Secretary-General had submitted an initial report on the subject (A/45/652 and Add.1). Peru hoped that, if circumstances permitted, the General Assembly would decide at its forty-fifth session to establish the proposed United Nations International Drug Control Programme, headed by an executive officer at the Assistant Secretary-General level and would combine the functions of the Division of Narcotic Drugs, the secretariat of the International Narcotics Control Board and the United Nations Fund for Drug Abuse Control.

38. His delegation had also carefully examined the report of the Intergovernmental Expert Group to Study the Economic and Social Consequences of Illicit Traffic in Drugs (A/45/535). It emerged from the report that the Group had not had sufficient time to fulfil its mandate. However, it contained precise information on the components of the network set up to detect transactions related to drug trafficking. The next step should be to arrange a meeting of public - and private - sector experts whose professional qualifications or responsibilities were directly connected with such matters.

39. He concluded by drawing attention to the threat posed by drug trafficking to the structures of the nation-State in the Andean countries. Because of the illegal character of their activities, drug traffickers took advantage of the deficiencies in international relations, introducing a logic directly linked to the increasing consumption of drugs and to the spiritual disarray of the developed countries. Peru had undertaken a reform of its institutions; the developed countries must readjust their bureaucratic structures to mobilize resources commensurate with the magnitude of the problem.

40. Mr. TAKAGI (Japan) said that the Cartagena Summit (February 1990), the seventeenth special session of the General Assembly (New York, February 1990), which had adopted the Political Declaration proclaiming the period from 1991 to 2000 the United Nations Decade against Drug Abuse and a Global Programme of Action, and the World Ministerial Summit to Reduce Demand for Drugs and Combat the Cocaine Threat (London, April 1990), made it clear that the international community was well aware that the drug problem was of global concern and that it was stepping up its efforts to combat the drug scourge, which could only be eradicated if the producing and consuming countries worked together. His delegation welcomed all those initiatives, in which it had taken an active part.

41. Both the Commission on Narcotic Drugs and the International Narcotics Control Board had deplored the lack of financial and human resources at the disposal of the drug-control bodies and emphasized the urgent need to remedy the situation. As several countries had pointed out, inadequate resources prevented those agencies from fulfilling their mandates. In order to assess their financial needs, it was necessary to review their mandates and determine their responsibilities under the Global Programme of Action.

42. Concerning the legal aspects of drug abuse control, the Commission and the International Narcotics Control Board (INCB) had placed strong emphasis on the early entry into force and implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. His Government had signed the Convention in December 1989 and would make the necessary adjustments to ensure its early ratification. To that end, in 1989 it had set up a task force consisting of eight ministries. Japan had also participated in the seminar on the application of article 12 of the Convention.

43. Japan had consistently co-operated with the various drug suppression programmes initiated by the United Nations and other organizations. Since 1973, it had made annual contributions to the United Nations Fund for Drug Abuse Control (UNFDAC). Having contributed \$800,000 in fiscal year 1990, its total contribution to the Fund had reached \$7.39 million, and Japan hoped that it would be possible to make its largest contribution ever in 1991. It had also announced its contribution to the Fund for the INCB training seminar for drug control administrators in Asia, held annually in China since 1988, and to the Division of Narcotic Drugs' regional training course for forensic chemists in Asia. Since 1962, through the Japan International Co-operation Agency, Japan had held annual seminars on controlling narcotics offences, bringing together drug enforcement officials from South-East Asia, Latin America, South Korea and the Middle East in order to familiarize them with Japan's investigative techniques. Since 1988, it had also co-operated with drug control programmes in other countries, providing financial and technical assistance, for example for a training programme organized by the Costa Rican Government on the prevention of drug offences and the treatment of offenders, intended mainly for justice officials from neighbouring countries. Lastly, Japan had contributed to the Colombo Plan, supplying drug test kits in 1987 and 1988 valued at \$69,000 for use in a training programme for drug control administrators and specialists. It had allocated \$41,025 to the Plan in its 1989 budget, with the aim of further enhancing its financial co-operation.

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(Mr. Takagi, Japan)

44. Japan reaffirmed the principle of shared responsibility in combating drug abuse and illicit drug trafficking and believed that all Governments must give priority to implementing the Global Programme of Action at national, regional and international level. For its part, it intended to take initiatives in the region of Asia and the Pacific, two of the world's three major drug-producing areas. His Government also offered to host the high-level official meeting on narcotic drugs in the Asia and Pacific region.

45. Mr. AGUILAR (Venezuela) said that his delegation welcomed the entry into force of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which Venezuela had sponsored in 1984. The swiftness of the process had been eloquent testimony to the level of priority given to the subject of drugs. His Government was doing everything within its power to ensure that Venezuela would soon ratify the Convention.

46. The year 1990 had been particularly fruitful. His delegation welcomed the results of the seventeenth special session of the General Assembly, as well as the World Ministerial Summit to Reduce Demand for Drugs and to Combat the Cocaine Threat of London and the Ixtapa Ministerial Meeting in Mexico, from which it emerged that States had recognized the principle of shared responsibility.

47. It had become clear that drug trafficking was not a phenomenon that would vanish by itself. There was general agreement that the problem required effective and lasting international co-operation, in particular with regard to Latin America, which was directly affected by drug production and illicit traffic in drugs.

48. The experts entrusted with studying the economic and social consequences of illicit traffic in drugs, whose recommendations were contained in document A/45/535, had concluded that the coca crop enabled Latin America to contain social and political tensions, because the crop guaranteed the economic and social stability of millions of peasants. As long as large segments of the population lived in precarious conditions and were unable to pursue sufficiently profitable and secure economic activities, the economy of the Latin American countries would continue to be a terrain that favoured the activities of drug traffickers, who were attempting at all costs to take over the reins of power. As organized crime had networks for laundering the large amounts of capital obtained through drug trafficking and investing them in perfectly legal firms or ventures, such trafficking might well take on a degree of legitimacy.

49. Aware of the gravity of the problem, the President of the Republic, Mr. Carlos Andrés Pérez, had raised to the rank of Minister the Director of the National Commission to Combat the Illicit Use of Drugs. He had also unveiled the main points of the first official campaign against drugs, which called for, inter alia, the creation of two commissions in charge of drug prevention and control, with a view to improving further the co-ordination among the various official bodies concerned. At the legislative level, his Government had undertaken to bring Venezuelan laws into line with the 1988 Convention by making it a crime to launder assets from illicit drug trafficking, providing for the confiscation of

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(Mr. Aguilar, Venezuela)

commissions received from money laundering and establishing rapid monitoring procedures for preventing the diversion of chemical products, materials and equipment that served for the production of drugs. In the area of drug control, measures had been taken to reinforce surveillance in frontier zones.

50. With regard to the reintegration of drug addicts, the José Félix Rivas Foundation was the first Venezuelan body to receive technical and financial assistance from UNFDAC.

51. Concerning the various services of the Secretariat involved in drug abuse control, it should be noted that the resources they had been allocated were not in keeping with the priority that the Organization had given to the problem. For that reason, Venezuela, like the Secretary-General (see A/45/652), considered that the best way to enhance the efficiency of the United Nations structure would be through securing a structure that would, in a most rational and effective way, ensure that the United Nations fulfilled its responsibilities. His delegation supported the idea of creating a United Nations international drug control programme, directed by an official appointed by the Secretary-General and possessing a rank sufficient to carry out his/her duties.

52. In order to implement the study called for by General Assembly resolution 44/142, the experts had encountered difficulties due primarily to the absence of available data; they had therefore underscored the need for an in-depth study of the situation. In the view of his Government, the economic and social consequences of drug trafficking were a new subject that must be considered in detail in order to be able to decide upon effective measures that were aimed, in particular, at curtailing movements of capital related to trafficking.

53. Mrs. ASHTON (Bolivia) said that the international community had decided that the United Nations should become the co-ordinating centre for activities undertaken to resolve the complex problems caused by illicit drug production, supply, demand, trafficking and distribution. To that end, a review of the relevant systems and structures of the United Nations was indicated. Her delegation had therefore enthusiastically supported the request that the Secretary-General should select a group of experts to assist him in enhancing the effectiveness of the Organization's drug abuse control machinery. In particular, there was a need to co-ordinate drug control activities with social development in the context of international technical co-operation, especially in developing countries.

54. The report of the Group of Experts (A/45/652/Add.1) reflected the wide gap that separated theory from reality. The problem of drug trafficking required a much more efficient and dynamic structure. The international community certainly had the necessary international legal instruments to wage a campaign against drug traffickers, but it lacked adequate means to ensure a definitive victory.

55. The structure proposed by the Group of Experts would answer current needs. The desired results could be achieved with existing resources. The person heading the new structure should have a rank commensurate with the complexity of the task.

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(Mrs. Ashton, Bolivia)

He would enjoy the full confidence of Governments, and would have the authority to co-ordinate operational activities and technical co-operation with Governments, international organizations and non-governmental organizations. The new structure would be independent, but would co-operate closely with the Centre for Social Development and Humanitarian Affairs.

56. One idea formulated by the Group of Experts which was not mentioned in the Secretary-General's report (A/45/652) was that of forming an operational advisory group made up of members of the Commission on Narcotic Drugs. Her delegation supported that idea, and also agreed with the Group of Experts that the new structure should be based in Vienna, since the issue of drugs was closely linked to those of social development and international economic co-operation. Finally, operational activities and technical co-operation should play a prominent role in the new structure in order to fulfil the mandates of the General Assembly, particularly the Comprehensive Multidisciplinary Outline and the Global Programme of Action; it must be ensured that their implementation was not delayed by a lack of resources.

57. She drew attention to the Secretary-General's report on action taken pursuant to General Assembly resolution 44/142 (A/45/535), and requested that it should be distributed to all Members of the United Nations. Her delegation was deeply concerned because several months had passed since the adoption of the Global Programme of Action against Illicit Narcotic Drugs (A/45/536), but the activities scheduled under the Programme had not been carried out, although the Director-General of the United Nations Office at Vienna had given, in her statement of the previous day, some details that were not included in the aforementioned reports. There was another proposal, dating back to 1988, which had not yet been acted upon: the expansion of the Commission on Narcotic Drugs.

58. She welcomed the imminent entry into force of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. However, she requested a corrigendum to the Secretary-General's report (A/45/495), indicating that Bolivia had deposited its instrument of ratification with the United Nations on 20 August 1990. She also requested an explanation by the Secretariat of the delay in the publication of the reports relative to agenda item 108.

59. Her delegation commended the United Nations Fund for Drug Abuse Control for its effective multilateral technical co-operation, and indicated that the programmes of the Fund in Bolivia were continuing according to the timetable established for the five-year plan, in particular the programmes of crop substitution and integrated rural development.

60. National alternative development strategies and crop substitution programmes could not succeed unless they were complemented by international measures to create easily accessible markets for substitute products, to provide economic incentives to encourage farmers to stop cultivating plants from which narcotics were derived, and to reorient development, i.e., to replace economies based on illicit drug

(Mrs. Ashton, Bolivia)

trafficking with legitimate economies. In her country, the difficulties inherent in those programmes were compounded by Bolivia's obligation to adopt stringent structural adjustment measures and to deal with their social consequences.

61. That approach, which Bolivia had advocated for years, had been accepted at the Cartagena Summit, attended by the Presidents of Bolivia, Colombia, Peru and the United States, on 15 February 1990. Agreement had also been reached at the Summit on medium-term investment programmes to promote a definitive substitution of the coca economy.

62. It should not be forgotten that any initiative to combat illicit drugs was closely linked to the rule of law, to the stability of democratic systems, to respect for human rights, to social achievements and to peaceful coexistence, which were the guiding principles of the United Nations.

AGENDA ITEM 91: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued)
(A/C.3/45/L.8* and L.11)

Draft resolution A/C.3/45/L.8*

63. The CHAIRMAN said that, if there were no objections, he would take it that the Committee adopted the draft resolution.

64. It was so decided.

Draft resolution A/C.3/45/L.11

65. The CHAIRMAN said that the draft resolution had been introduced by Zambia on behalf of Algeria, Burkina Faso, Ethiopia, the Libyan Arab Jamahiriya, Mali, Namibia, the United Republic of Tanzania, Viet Nam and Zimbabwe, and that Colombia, Cuba, the Islamic Republic of Iran, Vanuatu and Yemen had joined the list of sponsors.

66. A recorded vote was taken on the words "State terrorism" in the fifth preambular paragraph.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria,

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Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Belgium, Canada, Denmark, France, Germany, Greece, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Solomon Islands, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Costa Rica, Czechoslovakia, El Salvador, Finland, Honduras, Hungary, Iceland, Liechtenstein, Malta, New Zealand, Norway, Papua New Guinea, Paraguay, Poland, Romania, Samoa, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

67. The words "State terrorism" in the fifth preambular paragraph were retained by 96 votes to 17, with 24 abstentions.

68. A recorded vote was taken on the sixth preambular paragraph.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Belgium, Canada, France, Germany, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Bulgaria, Czechoslovakia, Denmark, Finland, Gabon, Greece, Hungary, Iceland, Ireland, Liechtenstein, Malta, New Zealand, Norway, Papua New Guinea, Paraguay, Poland, Romania, Spain, Sweden, Turkey.

69. The sixth preambular paragraph was retained by 105 votes to 12, with 22 abstentions.

70. A recorded vote was taken on paragraph 5 of the draft resolution.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Belgium, Canada, France, Germany, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Bulgaria, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Israel, Japan, Liechtenstein, Malta, New Zealand, Norway, Paraguay, Poland, Romania, Spain, Sweden, Turkey.

71. Paragraph 5 of the draft resolution was retained by 105 votes to 10, with 22 abstentions.

72. A recorded vote was taken on paragraph 8 of the draft resolution.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad,

Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Bulgaria, Canada, Czechoslovakia, Finland, Hungary, Iceland, Israel, Liechtenstein, Malta, New Zealand, Norway, Paraguay, Poland, Romania, Sweden, Turkey.

73. Paragraph 8 of the draft resolution was retained by 106 votes to 14, with 18 abstentions.

74. Mr. BUSACCA (Italy), speaking in explanation of vote on behalf of the 12 member States of the European Community before the vote on draft resolution A/C.3/45/L.11, emphasized that their votes in no way represented a change in their position on apartheid, which they had clearly expressed in their statements in the Committee. They had not only repeatedly condemned the odious system of apartheid and called for its total elimination, but had also taken practical measures against that system. However, they had noted with concern that the draft resolution did not take into account the practical and political efforts made by the international community, including the European Community, to promote the abolition of apartheid, nor did it mention the considerable changes taking place in South Africa which should lead to the constitution of a democratic, non-racist and united country. They noted that certain particularly controversial paragraphs in the texts of previous years had been omitted. Nevertheless, although they supported the general objectives of the Convention, they still had serious reservations about the means outlined in the Convention and about the wording of certain paragraphs of the draft resolution. They had therefore objected to the words "State terrorism" in the fifth preambular paragraph and to the wording of paragraph 8, of the sixth preambular paragraph and of paragraph 5. He reiterated their hope that a constructive dialogue would be initiated.

75. A recorded vote was taken on draft resolution A/C.3/45/L.11 as a whole.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland.

76. Draft resolution A/C.3/45/L.11 was adopted by 109 votes to 1, with 30 abstentions.

77. Ms. OJAMAA (United States of America), speaking in explanation of vote, said that by voting against resolution A/C.3/45/L.11, her delegation had again registered its opposition to the International Convention on the Suppression and Punishment of the Crime of apartheid. Her country was strongly opposed to racism and racial discrimination, including apartheid, and considered such policies to be manifest violations of human rights. However, her delegation could not accept the Convention's definition of apartheid as a crime against humanity. Moreover, the wording of the draft resolution was often excessively strong (as in the case of previous resolutions on that subject and on other issues) and did not take into account either the dramatic developments in South Africa or the resolution on apartheid adopted by consensus in 1989.

78. Mr. STUART (Australia) said that his country was not a party to the Convention because that instrument contained fundamental legal concepts that were unacceptable to Australia. He had therefore abstained from voting on draft resolution A/C.3/45/L.11 as a whole, as well as on the various paragraphs.

79. Mr. SEZAKI (Japan) said that his delegation's vote did not indicate a change in his Government's view of apartheid, since it had repeatedly condemned that system and was working resolutely for its abolition. While he understood the resolution's objectives, he had serious reservations about the wording of the text, particularly that of the fifth preambular paragraph, and had therefore abstained from voting on the resolution as a whole.

80. Ms. COOMBS (New Zealand) said that her delegation had abstained in the vote on the resolution as a whole and on the various paragraphs because certain provisions of the Convention raised problems of a legal nature which had prevented her country from becoming a party to that instrument. However, she emphasized her delegation's firm commitment to work for the total eradication of the abhorrent system of apartheid. New Zealand had imposed the economic and other sanctions against South Africa which had been recommended by the Security Council and the Commonwealth. She added that none of New Zealand's enterprises were operating in South Africa.

81. Mr. KRENKEL (Austria) said that his country's position on apartheid was well known and that Austria had abstained in the vote on the resolution as a whole and on the various paragraphs because it was not a party to the Convention and therefore did not wish to express an opinion on the components of the resolution that were directly linked to articles of the Convention.

82. Mr. BURCUOGLU (Turkey) said that his delegation had abstained in the vote on the resolution as a whole and on the various paragraphs because Turkey was not a party to the Convention. His abstention was motivated by legal considerations. Moreover, the wording of the draft resolution did not reflect current realities. Turkey would none the less continue to participate in all measures taken by the international community to eliminate apartheid, a system which ran counter to all human values.

83. Mr. KALYTA (Ukrainian Soviet Socialist Republic) said that his delegation had voted for the draft resolution in order to express its full support of the Convention and of the international community's efforts to eliminate apartheid in South Africa. However, it could not endorse the words "State terrorism" in the fifth preambular paragraph.

84. Mr. METSO (Finland), speaking on behalf of Sweden, Norway, Iceland and Finland, said that those countries were not parties to the Convention and that they had once again abstained in the vote on the draft resolution as a whole and on the various paragraphs. That in no way changed their position on the substance of the provisions in question. Given the far-reaching international legal implications which the resolution could have, the Swedish, Norwegian, Icelandic and Finnish delegations had considered it useful once again to make their position clear.

85. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 91.

AGENDA ITEM 98: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued) (A/C.3/45/L.5)

Draft resolution A/C.3/45/L.5

86. Ms. MANSARAY (Sierra Leone) said that she wished to revise paragraph 9 of the draft resolution. In the third and fourth lines of the paragraph, the phrase "encourages the Secretary-General to convene a meeting of high-level experts" should be deleted and replaced by the phrase "requests the Secretary-General", and the phrase "requests the Secretary-General" in the penultimate line of the paragraph should be deleted.

87. Ms. KAMAL (Secretary of the Committee) said that draft resolution A/C.3/45/L.5, as revised by the representative of Sierra Leone, would have no effect on the budget.

88. Mr. RAVEN (United Kingdom) said that it was advisable to specify in all cases whether or not a draft resolution had financial repercussions.

89. Ms. OJAMAA (United States of America) said that for the reasons indicated in her country's statement in the Committee on 15 October 1990, her delegation would not participate in the Committee's decision on the draft resolution.

90. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee adopted draft resolution A/C.3/45/L.5, as orally revised.

91. It was so decided.

Explanations following the adoption of draft resolution A/C.3/45/L.5

92. Mr. GROLIG (Germany) said that his country, which supported the objectives of the Second Decade to Combat Racism and Racial Discrimination, was pleased that draft resolution A/C.3/45/L.5 had been adopted without a vote. However, the reference to migrant workers was still a problem for his delegation, which felt that no general link could be established between the situation of migrants and racism. He therefore could not subscribe to the fifteenth preambular paragraph or to paragraphs 7 and 21. With regard to paragraph 1, he felt that the words "by all available means" could refer only to those that were consistent with the Charter of the United Nations.

93. Mr. GVIR (Israel) said that, although his delegation had joined the consensus on draft resolution A/C.3/45/L.5 out of consideration for the objective pursued by the Committee, the observations it had made after the vote on draft resolution A/C.3/45/L.7 continued to apply and also held for A/C.3/45/L.5.

94. Mr. RAVEN (United Kingdom) said that his delegation had not wanted to break the consensus that had made it possible to adopt A/C.3/45/L.5 without a vote, but the wording of that draft resolution did not fully reflect the United Kingdom's position. In particular, his delegation would have preferred paragraph 20 to be more faithful to the text of the Declaration adopted at the sixteenth special session of the General Assembly and to General Assembly resolution 44/244.

95. The CHAIRMAN said that the Committee had thus concluded its consideration of agenda item 98.

AGENDA ITEM 103: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS

Draft resolution A/C.3/45/L.6

96. The CHAIRMAN recalled that Sierra Leone, when it had submitted draft resolution A/C.3/45/L.6, had amended it orally by adding to the end of the seventh line of the preamble the phrase "and the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the United Nations on 14 December 1989" and by inserting the same phrase in paragraph 13, between the words "21 August 1989" and "by releasing".

97. Mr. GVIK (Israel), speaking in explanation of vote before the vote, said that paragraphs 2, 3, 4, 5, 6 and 7 were nothing more than an explicit incitement to engage in blind terror against the Israeli civilian population and to continue eliminating physically any Palestinian who had the audacity to manifest disagreement with that policy or a desire to negotiate with Israel. Thus, Israel could not be rashly condemned for blocking the peace process between Israel and the Arabs. The draft resolution did not even contain the slightest reference to the fact that the Arab-Israeli conflict should be settled by peaceful means through diplomatic negotiations. Israel took the view that a just and lasting peace with all its neighbours could and must be brought about through free and direct negotiations. The peace initiative launched in April 1989 by the Israeli Prime Minister, Mr. Itzhak Shamir, aimed to achieve that very objective and to end the conflict between the Arabs and Israel. The use of terror and violence advocated in draft resolution A/C.3/45/L.6 would only give rise to further suffering for the peoples of the Middle East and would thwart a just and lasting settlement of the Arab-Israeli conflict; for that reason, Israel would vote against it and urged all peace-loving countries to do likewise.

98. A recorded vote was taken on draft resolution A/C.3/45/L.6.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea,

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Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, Denmark, Finland, France, Germany, Iceland, Israel, Italy, Luxembourg, Netherlands, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Costa Rica, Czechoslovakia, Dominica, El Salvador, Greece, Hungary, Ireland, Japan, Liechtenstein, Malta, New Zealand, Poland, Portugal, Romania, Samoa, Spain, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

99. Draft resolution A/C.3/45/L.6, as amended orally, was adopted by 104 votes to 15, with 23 abstentions.

Explanation of vote after the vote on draft resolution A/C.3/45/L.6.

100. Ms. OJAMAA (United States of America) said that her delegation had been obliged to vote against draft resolution A/C.3/45/L.6. The draft resolution was cast in such a way that it condemned South Africa and Israel unilaterally without taking into account the complexity of the situation in those two countries. The United States had on numerous occasions expressed the wish that all parties should refrain from using the intemperate language that appeared both in the above-mentioned text and in a number of earlier resolutions, because it was not conducive to a global settlement of the Arab-Israeli conflict. Most of the provisions of that text were worded in a rhetorical style based on resolutions from previous years and without any effort to take fully and accurately into account the important evolution in the international climate. Furthermore, the style of the text was inconsistent with events that had transpired at the United Nations itself, for example the adoption by consensus of a resolution on apartheid in 1989. The United States objected to that outmoded attitude. It was the responsibility of the Member States and their representatives in the Third Committee to adopt resolutions that reflected both the decisions of the General Assembly as a whole and the realities of a changing world. Her delegation was also shocked to note that the invasion and annexation of Kuwait by Iraq, the most recent and most flagrant example of the denial by one nation of the right of another to self-determination,

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(Ms. Ojamaa, United States)

had not even been mentioned, far less condemned. Such an omission was tantamount to ignoring the numerous resolutions adopted by the Security Council to condemn and punish the invasion and annexation of Kuwait by Iraq as well as the virtually universal condemnation of those acts by Member States.

101. Mr. MEZZALAMA (Italy), speaking on behalf of the 12 member States of the European Community, said that the Twelve, while unreservedly in favour of the right to self-determination, had once again, in 1990, been unable to support the draft resolution under consideration. Although some parts of the text had been improved, a number of elements remained and raised major difficulties. The draft resolution, a very long text largely referring to the situation in the region of southern Africa, contained only a few lines on the important changes that had taken place there in recent months. The release of Nelson Mandela and the lifting of the ban on the political organizations of the black majority were mentioned only in passing. The text did not take fully into account the events that had occurred in South Africa, in particular the measures adopted or in the process of adoption by the South African authorities which, like the dialogue begun between the Government and the ANC, should lead to the creation of a democratic, non-racial and unified South Africa and to full recognition of the human rights and fundamental freedoms of all. The Twelve regretted that the draft resolution did not reflect the rapid evolution of the situation. The usual reference, in paragraph 2, to armed struggle continued to pose serious problems. The European Community reaffirmed that the United Nations must above all encourage peaceful solutions to international problems in accordance with the principles of the Charter. The Twelve continued to regard as unacceptable the assertion that maintaining relations with a State necessarily implied encouragement or approval of that State's policies. With regard to the Middle East, the member States of the European Community had repeatedly deplored the measures of repression taken by Israel in the occupied territories, which made it more difficult to reach a peaceful settlement. There could be no lasting peace unless the right of all the States of the region, including Israel, to exist in secure, recognized and guaranteed borders was respected, and unless the right of the Palestinian people to self-determination, with all that that implied, was also fully recognized. With regard to the other questions dealt with by the draft resolution, the position of the Twelve had been set forth in detail in the statement made on 25 September 1990 by the Italian Minister for Foreign Affairs in the general debate of the General Assembly and in the memorandum annexed to the statement. The Twelve would have wished for the text of the draft resolution and of other drafts submitted under the first cluster of items to reflect more fully recent events in South Africa, described in the report of the Secretary-General on progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa (A/44/960). The Declaration, like the resolutions of the General Assembly on the policy of apartheid of the South African Government, had been adopted by consensus and offered a firm foundation which could have been used constructively to reach common ground in terms of assessing political developments in the region. Regrettably, the attempt had failed and the opportunity to initiate a dialogue had been lost. The European Community hoped that, in future, a constructive dialogue could be conducted with the sponsors of the draft resolution so as to reach a consensus.

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102. Mr. MOLINA ARAMBARRI (Argentina) said that his delegation had voted in favour of draft resolution A/C.3/45/L.6, but would have preferred certain paragraphs to be worded differently.

103. Ms. LISSIDINI (Uruguay) said that her delegation supported the spirit of draft resolution A/C.3/45/L.6, and had voted in favour. Regrettably, she had the impression that the text contained paragraphs worded in such a way as to make little contribution to the establishment of conditions propitious to dialogue and understanding.

104. Mr. PULZ (Czechoslovakia) said that his delegation, notwithstanding its unqualified support for the universal realization of the right to self-determination, had been obliged to abstain in the vote on draft resolution A/C.3/45/L.6, which did not appropriately reflect reality. The content of the draft did not coincide fully with that of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which must guide the attempts of the United Nations and the international community as a whole to put an end to apartheid and make South Africa a unified, democratic and non-racial country, where justice and security would prevail to the benefit of all. His delegation had abstained on draft resolutions A/C.3/45/L.4 and L.11 on similar grounds. As it had stated on numerous occasions, it could not support any formulation reaffirming the legitimacy of armed struggle.

105. Mr. ZAWACKI (Poland) said that his delegation had, regretfully, been unable to vote in favour of draft resolution A/C.3/45/L.6, owing to both its content and its formulation. Similarly, his delegation had been unable to support other draft resolutions relating to the first cluster of items, namely draft resolutions A/C.3/45/L.4 and L.11, and would be unable to vote for draft resolution A/C.3/45/L.10 unless the text was amended. As far as his delegation was concerned, all those draft resolutions, particularly draft resolution A/C.3/45/L.6, failed to take sufficient account of the recent positive developments in the situation in South Africa and international relations in general. Moreover, the wording of certain paragraphs of the draft resolutions, particularly that of draft resolution A/C.3/45/L.6, did not contribute to the attainment of the objectives they outlined. In fact draft resolution A/C.3/45/L.6 could only discourage political dialogue in South Africa and those who fervently wished to abolish apartheid and establish a democratic and non-racial State in which the population as a whole would enjoy equal rights. Moreover, his Government had serious reservations with regard to the practice of singling out certain countries or groups of countries for selective criticism, and also rejected the notion of State terrorism. That was why his delegation had abstained in the vote on draft resolution A/C.3/45/L.6, as it had on draft resolutions A/C.3/45/L.4 and L.11.

106. Mr. CRUZ (Chile) said that his delegation had voted in favour of draft resolution A/C.3/45/L.6. Nevertheless, for reasons relating to Chile's experience and values, his delegation did not consider armed force to be an appropriate means of political action.

107. Mr. KOLAROV (Bulgaria) said that his delegation had abstained in the votes on various draft resolutions under the cluster of items before the Committee, including draft resolution A/C.3/45/L.6. His delegation was increasingly concerned about the tardiness with which the spirit of compromise was ending all stereotypes and dispelling the considerations which hindered United Nations activities to promote the right to self-determination and the elimination of racism, racial discrimination and apartheid. The draft resolutions submitted at the current session were more balanced than those adopted at the preceding session, but they still did not adequately reflect the new spirit emerging within the Organization and the changing realities in South Africa and the world. They also contained inappropriate formulations and definitions and attacked States and groups of States by name, which his delegation was not disposed to accept.

108. Mr. DEKANY (Hungary) said that his delegation had abstained in the vote on draft resolution A/C.3/45/L.6, notwithstanding its unequivocal support for the right to self-determination and the elimination of racial discrimination. Draft resolution A/C.3/45/L.6 contained a number of interesting ideas, but its formulation did not seem to reflect adequately the changes in contemporary realities and the positive and promising measures taken to date. The formulation of the draft resolution relied on old and outdated factual information and, in certain places, erred by reflecting unilateral positions and immoderate language inherited from a bygone era of confrontation. His delegation could only regret that the consultations conducted among certain delegations had not led to a sound assessment and clear view of the contemporary world situation. Nevertheless he still hoped that it would prove possible to move in that direction. His delegation's view of the other questions dealt with under the cluster of items was governed by the same intention to assess the problems of the contemporary world realistically and to promote in that context respect for and the universal application of international human rights instruments.

109. Mr. STUART (Australia) said that his delegation had abstained in the vote on draft resolution A/C.3/45/L.6, even though it firmly supported the principle of self-determination. It was not good for the reputation of the United Nations or for its ability to influence events for it to adopt draft resolutions which mechanically repeated the slogans of the past. His delegation had always thought that the General Assembly should avoid the adoption of blatantly provocative resolutions, which exacerbated differences. The Assembly should, on the contrary, act in a constructive manner by seeking solutions to problems and opening up specific channels for progress. His delegation also disagreed with various elements of draft resolution A/C.3/45/L.6. It could not accept the exaggerated comments on Israeli activities contained in paragraph 6, or the assertions concerning Western and Israeli collusion with the Government of South Africa in paragraphs 19 and 20, which it viewed as unjustified examples of name-calling. While the sponsors had revised the text of the corresponding resolutions adopted at the forty-fourth session to take account of developments in South Africa, his delegation did not consider that the draft resolution adequately reflected the positive political and social developments which had taken place in South Africa over the past year.

The meeting rose at 1.10 p.m.